

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

**ORIGINAL  
COPY**

In the Matter of )  
 )  
Price Cap Performance Review )  
for Local Exchange Carriers )  
 )

CC Docket No. 94-

**RECEIVED**

**MAY 26 1994**

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

MOTION FOR EXTENSION OF TIME

The Ad Hoc Telecommunications Users Committee (the Committee) hereby seeks an extension of time in the above-captioned proceeding to extend the date for all reply comments by an additional two weeks from June 22 to July 6.<sup>1/</sup> For the reasons set forth below, good cause exists to grant the Committee's motion.

This proceeding was initiated for the purpose of conducting the first fourth year review of the Commission's price-cap plan for local exchange carriers (LECs) that took effect three years ago, on January 1, 1991.<sup>2/</sup> Comments were due on May 9, 1994 and reply comments are due thirty (30) days thereafter, on June 8, 1994. The volume, breadth, and complexity of the comments received on May 9 is extensive. Commenters represent a diverse range of interests and, in response to the Commission's request

<sup>1/</sup> On May 24, 1994, the Commission released its Order granting United States Telephone Association's ("USTA's") motion for extension of time from June 8, 1994 to June 22, 1994. This motion seeks an additional two weeks' extension from June 22, 1994 to July 6, 1994.

<sup>2/</sup> In the Matter of Price Cap Performance Review for Local Exchange Carriers, Notice of Proposed Rulemaking, CC Docket No. 94-1, FCC 94-10, rel. February 16, 1994.

No. of Copies rec'd  
List ABCDE

024

for data on a wide variety of issues, the data to be reviewed is voluminous. Moreover, such data requires examination by consultants, additional data gathering, and time to synthesize and coherently integrate the data into reply comments covering all the issues raised.

Although USTA requested a two week extension from the original June 8 deadline, the bulk of the data to be assimilated by reply commenters is data produced by the LECs, including USTA. Of the thirty-nine (39) comments received, the lengthiest comments were submitted by USTA, Southwestern Bell Telephone Company, US West, BellSouth, GTE, NYNEX, and MCI. (MCI is the only non-LEC party among this group.) In this proceeding, there is a wide gulf between the LECs' position and the position of most others. Although LEC reply commenters (like USTA) are not compelled to critically analyze the lengthy submissions of the other LECs for purposes of submitting reply comments,<sup>3/</sup> all other reply commenters have a compelling interest in contending with and closely examining the voluminous portion of the record attributed to the LECs. Thus, the Committee, like other non-LEC reply commenters, will need more than the two week extension granted pursuant to USTA's motion.

The Commission will have ample time to consider the record by December 31, 1994, the end of the fourth year following the

---

<sup>3/</sup> This is because the LECs have a common interest and, presumably, any analysis of the data produced by other LECs will be a rehash of arguments made in a LEC's initial comments.

date the price cap plan for LECs took effect, if an additional two week extension is granted. Further, the extension of time will allow reply commenters to provide the Commission with a meaningful analysis on the full range of issues presented in this price-cap plan review.

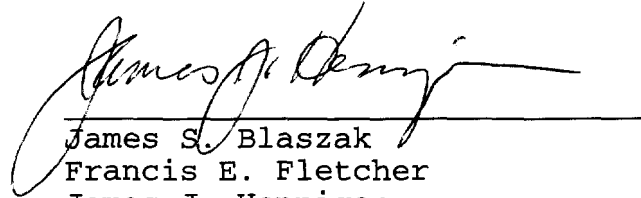
By giving the reply commenters time to closely examine the various sets of data and provide analysis of the initial data that the reply commenters cannot provide if the record is closed before July 6, the Commission's review process is likely to be fostered. Granting the requested extension will enable the Commission to have greater confidence in relying on the record and the time required for its own analysis may thereby be shortened.

Given the significance of the price caps review to the future of competition in the local exchange and exchange markets, the Committee believes that the Commission should afford reply commenters additional time to allow for as complete and meaningful an analysis of the parties' comments and studies as possible. An extension of an additional two weeks' time balances the need of the reply commenters to produce meaningful comments with the Commission's interest in reviewing a well-developed record with sufficient time to complete this fourth year price caps review.

In view of the foregoing, the Committee respectfully requests that the Commission act expeditiously and extend the date for reply comments to July 6, 1994.

Respectfully submitted,

**AD HOC TELECOMMUNICATION  
USERS COMMITTEE**

A handwritten signature in dark ink, appearing to read "James S. Blaszak", is written over a horizontal line.

James S. Blaszak  
Francis E. Fletcher  
James J. Hennigan  
Gardner, Carton & Douglas  
1301 K Street, N.W.  
Suite 900, East Tower  
Washington, D.C. 20005

Its Attorneys

May 26, 1994

CERTIFICATE OF SERVICE

I, Sonia J. Arriola, a secretary in the law firm of Gardner, Carton & Douglas, certify that I have this 26th day of May, 1994, caused to be sent by first-class U.S. mail, postage-prepaid, a copy of the foregoing **PETITION FOR EXTENSION OF TIME** to the following:

A. Richard Metzger, Jr. \*  
Acting Chief, Common Carrier Bureau  
Federal Communications Commission  
1919 M Street, N.W. - Room 500  
Washington, D.C. 20554

ITS, Inc. \*  
1919 M Street, N.W., Room 246  
Washington, D.C. 20554

United States Telephone Association \*  
Mary McDermott  
Vice President and General Counsel  
1401 H Street, N.W., Suite 600  
Washington, D.C. 20005

Rochester Telephone Corporation  
Michael J. Shortley, III  
180 South Clinton Avenue  
Rochester, New York 14646

R. Michael Senkowski  
Jeffrey S. Linder  
Ilene T. Weinreich  
Wiley, Rein & Fielding  
1776 K Street, N.W.  
Washington, D.C. 20006

Attorneys for Tele-Communications Association

Jay C. Keithley  
Leon M. Kestenbaum  
H. Richard Juhnke  
Norina T. Moy  
Sprint Corporation  
1850 M Street, N.W., 11th Floor  
Washington, D.C. 20036

Philip F. McClelland  
Assistant Consumer Advocate  
Commonwealth of Pennsylvania  
Office of Consumer Advocate  
1425 Strawberry Square  
Harrisburg, Pennsylvania 17120

Robert M. Lynch  
Richard C. Hartgrove  
Thomas A. Pajda  
Southwestern Bell Telephone Company  
One Bell Center, Room 3520  
St. Louis, Missouri 63101

Michael S. Pabian  
Ameritech  
2000 West Ameritech Center Drive  
Room 4H76  
Hoffman Estates, Illinois 60196-1025

Carol C. Henderson  
Executive Director  
American Library Association  
110 Maryland Avenue, S.E.  
Washington, D.C. 20002-5675

Brian R. Moir  
Moir & Hardman  
2000 L Street, N.W., Suite 512  
Washington, D.C. 20036

Attorney for International Communications Association

Allan J. Arlow  
President and Executive Officer  
Computer and Communications Industry Association  
666 11th Street, N.W.  
Washington, D.C. 20001

Charles A. Zielinski  
Rogers & Wells  
607 14th Street, N.W.  
Washington, D.C. 20005

Attorneys for Computer and Communications Industry Association

Michael E. Glover  
Edward D. Shakin  
Karen Zacharia  
The Bell Atlantic Telephone Companies  
1710 H Street, N.W., 8th Floor  
Washington, D.C. 20006

Thomas E. Taylor  
Christopher J. Wilson  
Frost & Jacobs  
2500 PNC Center  
201 East Fifth Street  
Cincinnati, Ohio 45202

Attorneys for Cincinnati Bell Telephone

The Southern New England Telephone Company  
Anne U. MacClintock  
Vice President - Regulatory Affairs and Public Policy  
227 Church Street  
New Haven, CT 06510

W. Theodore Pierson, Jr.  
Pierson & Tuttle  
1200 Nineteenth Street, N.W., Suite 607  
Washington, D.C. 20036

Attorney for Association for Local Telecommunications Services

Andrew D. Lipman  
Russell M. Blau  
Swidler & Berlin, Chartered  
3000 K Street, N.W.  
Washington, D.C. 20007

Attorneys for MFS Communications Company, Inc.

Genevieve Morelli  
Vice President and General Counsel  
Competitive Telecommunications Association  
1140 Connecticut Avenue, N.W., Suite 220  
Washington, D.C. 20036

Danny E. Adams  
Jeffrey S. Linder  
Wiley, Rein & Fielding  
1776 K Street, N.W.  
Washington, D.C. 20006

Attorneys for Competitive Telecommunications Association

Robert A. Mazer  
Nixon, Hargrave, Devans & Doyle  
One Thomas Circle, N.W., Suite 800  
Washington, D.C. 20005

Attorney for The Lincoln Telephone and Telegraph Company

James Gattuso  
Beverly McKittrick  
Citizens for a Sound Economy Foundation  
1250 H Street, N.W.  
Washington, D.C. 20005

Robert S. Tongren  
David C. Bergmann  
Yvonne T. Ranft  
Office of the Consumers' Counsel, State of Ohio  
77 South High Street - 15th Floor  
Columbus, Ohio 43266-0550

David Cosson  
2626 Pennsylvania Avenue, N.W.  
National Telephone Cooperative Association  
Washington, D.C. 20037



Richard Riccoboni  
President and CEO  
Eagle Telephonics, Inc., et al  
Bohemia, New York

Emily C. Hewitt  
Vincent L. Crivella  
Michael J. Ettner  
Tenley A. Carp  
General Services Administration  
18th and F Streets, N.W., Room 4002  
Washington, D.C. 20405

David R. Poe  
Cherie R. Kiser  
LeBoeuf, Lamb, Greene & MacRae  
1875 Connecticut Avenue, N.W.  
Washington, D.C. 20009-5728

Attorneys for Time Warner Communications

Peter A. Rohrbach  
Linda L. Oliver  
Hogan & Hartson  
Columbia Square  
555 13th Street, N.W.  
Washington, D.C. 20004-1109

Attorneys for Wiltel, Inc.

Henry M. Rivera  
Ginsburg, Feldman and Bress, Chartered  
1250 Connecticut Avenue, N.W.  
Washington, D.C. 20036

Attorney for The Council of Chief State School Officers and  
The National Association of Secondary School Principals

Frank W. Lloyd  
Kecia Boney  
Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.  
Suite 900  
Washington, D.C. 20004

Attorneys for California Cable Television Association

Lisa M. Zaina  
OPATSCO  
21 Dupont Circle, N.W., Suite 700  
Washington, D.C. 20036

James T. Hannon  
Sharon L. Naylor  
U.S. West Communications, Inc.  
1020 19th Street, N.W., Suite 700  
Washington, D.C. 20036

Gary M. Epstein  
James H. Barker  
Latham & Watkins  
1001 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004-2505

M. Robert Sutherland  
Richard M. Sbaratta  
BellSouth Telecommunications, Inc.  
4300 Southern Bell Center  
675 West Peachtree Street, N.E.  
Atlanta, Georgia 30375

Richard McKenna, HQE03J36  
GTE Service Corporation  
P.O. Box 152092  
Irving, Texas 75015-2092

Gail L. Polivy  
GTE Service Corporation  
1850 M Street, N.W., Suite 1200  
Washington, D.C. 2036

Elizabeth Dickerson  
MCI Telecommunications Corporation  
1801 Pennsylvania Avenue, N.W.  
Washington, D.C. 20006

Edward R. Wholl  
Campbell L. Ayling  
Edward E. Niehoff  
The NYNEX Telephone Companies  
120 Bloomingdale Road  
White Plains, New York 10605

John C. Smith  
Aeronautical Radio, Inc.  
2551 Riva Road  
Annapolis, MD 21401

J. Manning Lee  
Teleport Communications Group Inc.  
One Teleport Drive  
State Island, N.Y. 10311

Margot Smiley Humphrey  
Koteen & Naftalin  
1150 Connecticut Avenue, N.W., Suite 1000  
Washington, D.C. 20036

Attorney for National Rural Telecom Association

Mark C. Rosenblum  
Robert J. McKee  
Peter H. Jacoby  
Albert M. Lewis  
AT&T Corp.  
295 North Maple Avenue, Room 2255F2  
Basking Ridge, New Jersey 07920

Marc E. Manly  
AT&T Corp.  
1722 Eye Street, N.W.  
Washington, D.C. 20006

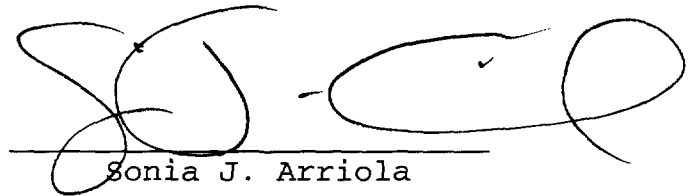
Jonathan E. Canis  
Swidler & Berlin, Chartered  
3000 K Street, N.W. - Suite 300  
Washington, D.C. 20007

Attorney for Intermedia Communications of Florida, Inc.

James P. Tuthill  
John W. Bogy  
140 New Montgomery Street, Room 1530-A  
San Francisco, CA 94105

James L. Wurtz  
1275 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004

Attorneys for Pacific Bell and Nevada Bell



Sonia J. Arriola

\* By Hand Delivery

F:\FEF\PLD\80123.1